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5 *GYBB Recycling, LLC; Benny Yamagata;*
GY General Industries, LLC; and
6 *Yamagata Enterprises Family Office, LLC*

7 **IN THE UNITED STATES DISTRICT COURT**
8 **FOR THE DISTRICT OF NEVADA**

9 * * *

10 3500-3675 PROCYON LLC, a Delaware
limited liability company,

11 Plaintiff,

12 vs.

13 BB RECYCLING, INC., a Nevada
14 corporation; GYBB RECYCLING, LLC, a
Nevada limited liability company; BERT
15 BORS, an individual; BENNY
YAMAGATA, an individual; GY GENERAL
16 INDUSTRIES, LLC, a Nevada limited
liability company; YAMAGATA
17 ENTERPRISES FAMILY OFFICE, LLC, a
Nevada limited liability company; and DOES
18 1 through X, inclusive; and ROE BUSINESS
ENTITIES XI through XX, inclusive,

19 Defendants.
20

Case No.: 2:18-cv-01665-APG-GWF

**STIPULATION, REQUEST AND ORDER
EXTENDING TIME TO ANSWER OR
OTHERWISE RESPOND TO PLAINTIFF'S
COMPLAINT (First Request)**

21
22 Defendants GYBB RECYCLING, LLC; BENNY YAMAGATA; GY GENERAL
23 INDUSTRIES, LLC; and YAMAGATA ENTERPRISES FAMILY OFFICE, LLC (collectively
24 the "GYBB Defendants") and Plaintiff 3500-3675 PROCYON, LLC, by and through their
25 respective counsel, hereby respectfully submit this Stipulation, Request and Order Extending
26 Time to Answer or Otherwise Respond to Plaintiff's Complaint (the "Stipulation"). This
27 Stipulation is made in accordance with LR IA 6-1, LR IA 6-2, and LR 7-1 of the Local Rules of
28

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1 this Court. This is the first request for an extension of time to file an answer or otherwise
2 respond to Plaintiff's Complaint.

3 The GYBB Defendants accepted service of Plaintiff's Complaint on September 26,
4 2018. As such, the GYBB Defendants' responsive pleading is due October 26, 2018. The
5 instant extension is requested as the GYBB Defendants seek to discuss a settlement with
6 Plaintiff. If settlement discussions fail, the GYBB Defendants' counsel requires additional time
7 to prepare a responsive pleading to Plaintiff's Complaint.

8 Upon agreement by and between all the parties hereto as set forth herein, the GYBB
9 Defendants respectfully request that this Court grant an extension of time, up to and including
10 November 9, 2018, for the GYBB Defendants to file an answer or otherwise respond to
11 Plaintiff's Complaint. By entering into this Stipulation, none of the parties waive any rights they
12 have under statute, law or rule with respect to Plaintiff's Complaint or responding to the same.

13
14 DATED this 24th day of October, 2018.

15 KEMP, JONES & COULTHARD, LLP

16
17 /s/ Mark M. Jones

18 Mark M. Jones, Esq.
19 Nevada Bar No. 267
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21 Las Vegas, Nevada 89169
22 Attorneys for Defendants
GYBB Recycling, LLC; Benny Yamagata;
GY General Industries, LLC; and
Yamagata Enterprises Family Office, LLC

DATED this 24th day of October, 2018.

ALBRIGHT, STODDARD,
WARNICK & ALBRIGHT

/s/ D. Chris Albright

D. Chris Albright, Esq.
Nevada Bar No. 4904
William H. Stoddard, Jr., Esq.
Nevada Bar No. 8679
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Las Vegas, Nevada 89106
Attorneys for Plaintiff

ORDER

IT IS SO ORDERED.



UNITED STATES MAGISTRATE JUDGE

Dated: 10-25-2018